

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

**D.L., a minor, by and through his next-of-friends, S.L. and R.L. v.
Hernando County Sheriff's Office, a public entity, Deputy Paul
Smith, School Resource Officer, in his individual capacity, and
Hernando County School Board, a public entity**

No. 8:22-cv-00035-JLB-AEP, United States District Court for the Middle District of Florida, Tampa Division
(December 30, 2025)

SUMMARY

The United States District Court for the Middle District of Florida addresses claims arising from the involuntary examination of an autistic minor under Florida’s Baker Act. The court grants summary judgment for the Hernando County Sheriff’s Office and Hernando County School Board, denies the minor’s motion for summary judgment, and concludes that Deputy Paul Smith is entitled to qualified immunity on the Fourth Amendment claims while the ADA claims fail.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	John L. Badalamenti
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	December 30, 2025
DOCKET	8:22-cv-00035-JLB-AEP
DISPOSITION	other
PROCEDURAL POSTURE	Cross-motions for summary judgment in an action alleging Fourth Amendment unreasonable seizure and excessive force, Title II ADA violations, and a 42 U.S.C. § 1983 failure-to-train claim arising from the involuntary examination of a minor under Florida's Baker Act.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court must view the evidence and draw reasonable

	inferences in favor of the nonmovant, without weighing evidence or making credibility determinations.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	D.L., a minor, by and through his next-of-friends, S.L. and R.L. v. Hernando County Sheriff's Office, Deputy Paul Smith, School Resource Officer, in his individual capacity, Hernando County School Board

TOPICS

summary judgment

qualified immunity

section 1983

ada / disability

police misconduct

PRACTICE AREAS

civil rights

constitutional law

disability discrimination

civil procedure

QUESTIONS PRESENTED

1. Whether Deputy Smith was entitled to qualified immunity on D.L.'s Fourth Amendment unreasonable-seizure claim arising from the Baker Act commitment.
2. Whether Deputy Smith was entitled to qualified immunity on D.L.'s Fourth Amendment excessive-force claim based on restraining and handcuffing D.L.
3. Whether HCSO violated Title II of the ADA by failing to adopt or apply reasonable modifications for schoolchildren with disabilities and whether D.L. could recover compensatory damages.
4. Whether HCSB violated Title II of the ADA through intentional discrimination or failure to accommodate D.L.
5. Whether HCSB could be held liable under 42 U.S.C. § 1983 for allegedly failing to train Deputy Smith on Baker Act procedures.

HOLDINGS

1. Deputy Smith was entitled to qualified immunity on D.L.'s unreasonable-seizure claim because he acted within his discretionary authority, had arguable probable cause to believe that D.L. met the Baker Act criteria, and D.L. failed to show that the seizure violated a clearly established right.
2. Deputy Smith was entitled to qualified immunity on D.L.'s excessive-force claim because restraining D.L.'s feet and arms and, assuming Smith applied the handcuffs, handcuffing him were objectively reasonable responses to D.L.'s continued violent resistance and did not violate clearly established law.
3. HCSO was entitled to summary judgment on D.L.'s Title II ADA claim because D.L. failed to establish deliberate indifference by an official with substantial supervisory authority and therefore could not recover compensatory damages.
4. HCSB was entitled to summary judgment on D.L.'s ADA discrimination and failure-to-accommodate claims because the record did not show intentional discrimination, deliberate indifference, a denied

requested accommodation, or knowledge of an accommodation that would mitigate D.L.'s behavior.

5. HCSB was entitled to summary judgment on D.L.'s § 1983 claim because D.L. failed to establish an unconstitutional policy or custom, a pattern of similar violations, or an obvious need for Baker Act training, and HCSB was not responsible for Smith's law-enforcement actions.

KEY QUOTATIONS

“Accordingly, D.L.’s Motion for Summary Judgment (Doc. 144) is **DENIED** and HCSO’s and HCSB’s summary judgment motions (Doc. 134; Doc. 136) are **GRANTED**.” (Conclusion)

FACTUAL BACKGROUND

D.L., a ten-year-old student with non-communicative autism and disruptive behavior disorder, experienced a severe behavioral episode at school involving violence toward himself, school personnel, and property. Deputy Paul Smith, a school resource officer who knew D.L. was autistic, observed the behavior, helped restrain D.L.'s legs and arms, and determined that D.L. met the criteria for involuntary examination under Florida's Baker Act after observing continued kicking, biting, and attempted biting. Other deputies handcuffed and shackled D.L., transported him to a hospital, and D.L. remained there for two days.

PROCEDURAL HISTORY

D.L. filed a Second Amended Complaint against the Hernando County Sheriff's Office, Deputy Paul Smith, and the Hernando County School Board. The court had previously dismissed claims against Deputy Smith in his official capacity and claims against Deputy Al Nienhuis. The parties filed competing motions for summary judgment, and the court granted summary judgment to HCSO and HCSB, denied D.L.'s motion, directed entry of judgment for defendants, and closed the case.

DISPOSITION

other

CASES CITED

- Edmondson v. Velvet Lifestyles, LLC, 43 F.4th 1153, 1159 (11th Cir. 2022)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 251–52 (1986)
- Harlow v. Fitzgerald, 457 U.S. 800, 818 (1982)
- Ingram v. Kubik, 30 F.4th 1241, 1250–51 (11th Cir. 2022)
- Khoury v. Miami-Dade County School Board, 4 F.4th 1118, 1126 (11th Cir. 2021)
- Gray ex rel. Alexander v. Bostic, 458 F.3d 1295, 1306–07 (11th Cir. 2006)
- Figueroa v. Santa Rosa County Sheriff's Department, 721 F. Supp. 3d 1289, 1297–1304 (N.D. Fla. 2024)
- Graham v. Connor, 490 U.S. 386, 396 (1989)
- Rodriguez v. Farrell, 280 F.3d 1341, 1351 (11th Cir. 2002)

- Sebastian v. Ortiz, 918 F.3d 1301, 1312 (11th Cir. 2019)
- Bircoll v. Miami-Dade County, 480 F.3d 1072, 1083–85 (11th Cir. 2007)
- Silberman v. Miami Dade Transit, 927 F.3d 1123, 1134–36 (11th Cir. 2019)
- J.P.M. v. Palm Beach County School Board, 916 F. Supp. 2d 1314, 1321–22 (S.D. Fla. 2013)
- Gaston v. Bellingrath Gardens & Home, Inc., 167 F.3d 1361, 1363 (11th Cir. 1999)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 694 (1978)
- City of Canton v. Harris, 489 U.S. 378, 390, 396–97 (1989)
- Board of County Commissioners of Bryan County, Oklahoma v. Brown, 520 U.S. 397, 409 (1997)
- Gilmour v. Gates, McDonald & Co., 382 F.3d 1312, 1315 (11th Cir. 2004)

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